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Engineering Applied To Jurisprudence

#### TRIP AND FALL IN DEFECTIVE ROADWAY SURFACE

Pedestrian North Crosswalk

7th Avenue and West 30th Street

Date of Accident: February 5, 2019

Manhattan, New York

Gregory Webster and Lisa Webster, Plaintiffs
Vs.

The City of New York, Defendant

Report Date: October 1, 2020

Docket No.: 1:19-cv-05638

Report Writer: Michael Kravitz, P.E.

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(Gregory Webster) v NYC Christopher Fraser, Esq. Michael Kravitz, PE, DFE, Engineer

The Dweck Law Firm

File No: J1869

D/A: 02/05/2019

Docket No. 1:19-cv-05638

GENERAL CASE INFORMATION

GENERAL CASE INFORMATION

SUBJECT: TRIP AND FALL CAUSED BY

DEFECTIVE ROADWAY SURFACE

Pedestrian North Crosswalk

7th Avenue and West 30th Street

Manhattan, New York

SUBMITTED FOR: Mr. Gregory Webster

Plaintiff

DATE OF ACCIDENT: February 5, 2019

REQUESTED BY: Christopher Fraser, Esq.

The Dweck Law Firm, LLP

10 Rockefeller Plaza

New York, New York 10020

REPORT NO.: J1869

Docket No. 1:19-cv-05638

DATE: October 1, 2020

ENGINEER: Michael Kravitz, PE, DFE.

Consulting Engineer

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#### INTRODUCTION AND INFORMATION USED

At the request of Mr. Christopher Fraser, Esq., attorney at The Dweck Law Firm, for the Plaintiffs Gregory Webster and Lisa Webster, the writer:

- A. Reviewed color photographs of the defective condition in the north pedestrian crosswalk and street at the intersection of 7th Avenue and West 30th Street, Manhattan, New York. The photographs were supplied by Plaintiffs' Counsel and were attached to the Plaintiffs' October 18, 2019 Rule 26(a)(1) Initial Disclosures as Exhibit 1.
- B. Reviewed the May 3, 2017 DEP Water Valve Work Order #843620315 for the location of West  $30^{\rm th}$  Street and  $7^{\rm th}$  Avenue regarding the excavation and repair of the leaking valve in a 12-inch water main.
- C. Reviewed the DOT Defect Details for Defect No. DM2018341011 reported by Kim Salvo on December 7, 2018 for the subject pothole at the location of 7<sup>th</sup> Avenue and West 30<sup>th</sup> Street, and the March 10, 2020 Affidavit of Kim Salvo. Also reviewed DOT Defect Details for Defect Nos. DM2018341012 and DM2019031025.
- D. Reviewed the December 7, 2018 DOT Manhattan Street Maintenance Pothole Sheet ("Gang Sheet") for work performed filling the subject pothole on 7<sup>th</sup> Avenue and West 30<sup>th</sup> Street among other locations. The Gang Sheet includes comments as follows:

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"Hotbox 37HT not functional temp dropped to 125 degrees and would not reach temp. Load had to be dumped due to the cold asphalt. Heavy traffic on route." Two "A" holes and two "B" holes were filled with "cold" asphalt.

- E. Reviewed the Gang Sheet, dated January 31, 2019, for work performed filling potholes on 7<sup>th</sup> Avenue and West 30<sup>th</sup> Street among other locations. The Gang Sheet includes comments as follows: "... Extreme cold conditions. Cold patch 2.00 tons."
- F. Reviewed a New York City Water Mapping schematic of cast iron pipe at the intersection of  $7^{\rm th}$  Avenue and West  $30^{\rm th}$  Street.
- G. Reviewed Google Earth Street View images of the north pedestrian crosswalk and street at the intersection of 7th Avenue and West 30th Street, Manhattan, New York.
- H. Reviewed the weather history for Central Park, NY, NY, for December 7, 2018, January 31, 2019 and February 5, 2019.
- I. Reviewed Plaintiffs' Verified Complaint and Plaintiffs' Rule 26(a)(1) Initial Disclosures.
- J. Reviewed the Campbell Foundry catalog for the dimensions of New York City's manhole frames and covers.
- K. Reviewed the New York City Dept. of Transportation Highway Rules, Title 34, Chapter 2, of the Rules of the City of New York.
- L. Reviewed the Administrative Code of the City of New York,
  Title 19, Transportation.

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M. Reviewed the New York City Department of Transportation

Bureau of Highway Operations, Standard Details of Construction.

- N. Reviewed the New York State Department of Transportation "Standard Specifications" (USC) for Construction and Materials.
- O. Reviewed the January 3, 2020 deposition transcript of Plaintiff Gregory Webster and the photographs marked during the deposition as Exhibits A, B, and C.
- P. Reviewed the February 14, 2020 deposition transcript of New York City DOT witness Omar Codling.
- Q. Reviewed the July 1, 2020 deposition transcript of New York City DEP witness Kevin Harmon.
- R. The writer visited the location of 7th Avenue and West 30th Street, Manhattan, New York, on September 21, 2020, and measured the diameter of the subject manhole cover and casting (frame) and took photographs. The writer has performed a photogrammetry analysis based on the photographs provided of the defective condition of the street and Google Earth images where Plaintiff Gregory Webster had his accident.

#### DESCRIPTION OF EVENT LEADING TO ACCIDENT

Mr. Gregory Webster, on February 5, 2019 at approximately 6:00 PM, while crossing the north pedestrian crosswalk of 7th Avenue in a westerly direction at the intersection with West 30th Street, was caused to trip and fall in an irregular hole/depression

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in the surface of the crosswalk. The recorded weather was cloudy at the time of the incident, Civil Twilight was at 5:47 PM, decreasing visibility and increasing the hazard of the defect.

#### OBSERVATION AND ANALYSIS

The following are the writer's observations, analysis and engineering opinion, within a reasonable degree of engineering certainty, as they apply to the facts of this case:

1) The inspection of the photographs of the roadway on 7th Avenue and West 30th Street, Manhattan, New York, as they existed at the time of the incident show that the street surface surrounding the New York City water supply manhole was in a dangerous and defective condition. The photographs show that there was a prior rectangular excavation that was not permanently restored as required by Section 2-11(e)(12)(x) of the New York City Department of Transportation Highway Rules (the "Highway Rules"). The prior excavation was not permanently restored because the street cuts made to the "wearing course," which is the top layer of pavement, did not have asphalt cement (tack coat) surrounding the perimeter of the rectangle cuts flush with the pavement on all sides and conforming to the NYC DOT Standard Specifications and Standard Detail Drawings, Drawing H-1031, as required by Section 2-11(e)(12)(ii) of the Highway Rules.

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Additionally, the prior excavation was not permanently restored because the wearing course was not sealed (tack coated) at the edge of the street cuts with liquid asphaltic cement to prevent water seepage as required by Section 2-11(e)(12)(viii) of the Highway Rules. The asphalt that was supposed to surround the manhole casting (frame) was not in place and created a depression 3-4 inches in depth as depicted in the photograph below.



Figure 1. The solid arrows show the depression where Plaintiff tripped and fell, and is of what appears to be a temporary restored excavation. There is no asphalt cement (tack coat) surrounding the perimeter of the excavation or liquid asphaltic seal which would indicate that the excavation was permanently restored.

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2) The New York City Department of Transportation and Department of Environmental Protection Work Orders, Gang Sheets and Pothole Complaints indicate the following:

- a. On May 5, 2017, the DEP performed a water valve repair in the northern crosswalk at the intersection of 7<sup>th</sup> Avenue and West 30<sup>th</sup> Street, during which the initial rectangular street cuts were made and excavation performed to the asphalt surrounding the manhole involved in G. Webster's fall on February 5, 2019. The Writer has been advised by Plaintiffs' attorneys that the Defendant has confirmed that the water valve excavated pursuant to the DEP Work Order is the same manhole involved in G. Webster's fall.
- b. On December 7, 2018, the DOT attempted to place temporary fill in the Pothole surrounding said manhole.
- c. On February 5, 2019, Plaintiff G. Webster fell in the street defect.
- 3) The Google Street View photographs show the manhole cover and casting (frame) at the referenced dates.

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Figure 2. The arrow points to said manhole located in the north crosswalk of 7<sup>th</sup> Avenue and West 30<sup>th</sup> Street. Note that there is no asphalt cement and seal (tack coat) around the perimeter of the temporarily restored excavation that was performed by the DEP on May 5, 2017. This indicates that the excavation was not permanently restored as required by the Highway Rules. The Google Street View photograph is dated September 2017, approximately four (4) months after the DEP's water valve repair and excavation.

Referring to Figure 2 above, the water valve excavation performed by the DEP on May 5, 2017 was not permanently restored and therefore the temporary restoration of the excavation allowed storm water to penetrate the asphalt and cause failure to the subgrade as well as to deteriorate the asphalt due to freeze/thaw cycles in the winter months. The deteriorated asphalt developed into a deep depression and on December 7, 2018 a DOT Gang Crew was dispatched because of the complaint about the depression made by Kim Salvo, a member of the general public. However, on December 7, 2018 at approximately 10:50 PM when the DOT Crew purportedly

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arrived at the Pothole, the pavement and atmospheric temperatures were below the 40 degree minimum temperature recommended for applying temporary fill greater than three (3) inches deep to the wearing course. See Section 402-3.01, Temperature and Seasonal Limitations, of the New York State DOT Standard Specifications. This is consistent with the December 7, 2018 Gang Sheet which notes that the Hotbox carrying the temporary fill malfunctioned and could not get above 125 degrees Fahrenheit, and as a result the cold asphalt had to be dumped. Based on the cold atmospheric temperatures, cold asphalt, and malfunctioning Hotbox, the temporary fill placed by the DOT Crew on December 7, 2018 could not adhere to the bottom and sides of the depression and therefore was not secured within the depression. The improper patch to begin to fail almost immediately and created an immediately dangerous condition. The immediate failure of the temporary fill on December 7, 2018 was also impacted by vehicles braking and accelerating on heavily trafficked roadway, loosening, dispersing the crumbling the improper patch and causing the deep defect around the manhole cover and casting as depicted in Figure #1.

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chart denoting the days between each as follows:

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4) The Writer analyzed the dates of the discovery of the depression and subsequent temporary fill and created the following

Calculation of Days Between Re	pair of Manh	ole on 7th Av	enue and W. 30th	Street				
		Days	Average					
	Repair	Between	Settlement Rate -					
Description	Date	Repair	inch/day					
Repair of MH Valve	05/03/17							
Gang pothole closed	12/07/18	583	0.01	Inches/Day				
Gang pothole closed	01/31/19	55	0.07	Inches/Day				
Accident Date	2/5/2019	5	0.80	Inches/Day	12 13/16	12/16th to	o 13/16 Incl	hes per da
Maximum Settlement - Inches	4	Inches						

Figure 3. The chart describes the number of days between the creation of the depression and the incident and gives the amount of average deterioration in inches per day that the defect developed.

The chart in Figure 3 calculates the average daily rate of the depression in inches from the time that the DEP caused the excavation and failed to perform a permanent restoration to December 7, 2018 when the DOT Gang Crew applied the improper patch to the asphalt surface. The chart also calculates the average rate of depression from December 7, 2018 to the date of G. Webster's fall on February 5, 2019. The significantly increased average daily rate during the sixty (60) days between December 7, 2018 and February 5, 2019 caused a dangerous four inch defect at the time of G. Webster's fall. This indicates that the Gang Crew's improper fill on December 7, 2018 created an immediately dangerous condition to pedestrians and vehicles.

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5) The chart in Figure #4 below depicts the analysis performed by the Writer to determine the depth of said depression using photogrammetry from the photograph in Figure #1. Photogrammetry is the calculation of dimensions in a photograph when other items in the photographs in the same plane are known. In this case, the dimensions of the manhole casting and cover are known based on the personal inspection and measurements taken by the writer on September 21, 2020. Proportions are set up to compare the 40-scale units measured in the photograph to the units that are known in the photograph. The analysis was performed in Excel.

Using Photogramme	try Analyze t	he Depth o	f Depressi	on of NYC D	EP Manhol	e		
Use Photograph No.	1 of Location	n Photos tal	ken soon a	fter the inc	ident			
Location 7th Avenye	and W. 30th	Street - No	orth Cross	walk Crossir	ng 7th Aven	ue		
Use Campbel Foundr	y 17th Editio	on for meas	urements	of MH Cast	ing page 12	2.		
Use Light Manhole F	rames and C	overs, Strai	ght Type F	rame Type	A Based on	Location P	hoto #1:	
Design measuremen	ts in Inches							
Cover Seat height X = 1 Inches								
Frame height	3	Inches						
Cover diameter	C =	24	Inches					
Photogrammetry me	asurements	in Units of	40 Scale					
Cover Seat height	X =							
Frame height	E =	6	Units		7			
Cover diameter	C =	102	Units					
Maximum Depth =	= 8 Units							
Maximum Depth =		4	Inches Ca	lculated us	ing Photogr	rammetry		
Minimum Depth =		3	Inches Es	itmated to	bottom of o	casting		

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Figure 4. The chart shows the calculations performed using Excel spread sheet and the dimensions of a Type M1/M3 frame and cover from Campbell Foundry catalog.

The analysis shows that the maximum depth of the depression was approximately 4-inches at the time of Plaintiff G. Webster's fall on February 5, 2019.

6) New York City Highway Rules, Section  $\S 2-11$ , Street openings and excavations, Paragraph  $\S 2-11$  (e) (12) (x), sets forth the requirements for Permittees as follows:

Final (permanent) restorations shall be completed prior to the expiration of the [street opening] permit. During winter months, temporary asphalt and pavement markings shall be placed at the expiration of the permit and maintained until such time as the final restoration may be completed.

Section §2-11(e)(12)(x) of the New York City Highway Rules requires Permittees to permanently restore excavations, or during the winter months when seasonal restraints prevent permanent restoration, temporary restorations must be maintained until a permanent restoration is made. The City of New York did not follow its own regulation and allowed the temporary restoration to remain for a period 583 days as calculated in Figure 3 above. Therefore, the City of New York violated its own requirement by failing to permanently restore the excavation around the manhole. The City

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also violated its own requirement to maintain the temporary pothole patch when it was attempted on December 7, 2018 at frigid temperatures with cold asphalt caused by a malfunctioning hotbox, knowing that the insufficient temperature of the cold asphalt and vehicular traffic would cause the patch to immediately fail.

In addition, Section 2-11(e)(12)(ii) of the Highway Rules states that if a permanent restoration settles more than two inches (2") below the surrounding surface during the life of the guarantee period, it is considered a failure of the backfill compaction, and the party who performed the backfill is required to remove all of the backfill and install new, properly compacted backfill. The Guarantee Period is defined by Section 2-11(e)(16)(ii) of the Highway Rules as a three-year period that starts to run from the date that the restoration is completed. Using the May 3, 2017 DEP Work Order as the start date of the guarantee period, the settlement of approximately four (4) inches by February 5, 2019 when G. Webster sustained his injuries is deemed a failure of the backfill compaction required for the wearing course for the first three years after permanent restoration and also violates the City's Highway Rules.

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7) Good engineering, construction and accepted and maintenance practice was not performed by the City of New York or its agents because they allowed a defect/hole/depression to be created on the roadway surface by not permanently restoring the asphalt wearing course after making the excavation on May 3, 2017 which lead to the improper cold patch on December 7, 2018 and creation of an immediately dangerous condition.

#### SUMMARY AND OPINION

It is the Writer's opinion as a Licensed Professional Engineer, within a reasonable degree of engineering certainty, that the proximate cause of the injuries sustained by Mr. Gregory Webster were the following:

The incident photographs show that there was a prior I. rectangular excavation that was not permanently restored. The prior excavation did not have asphalt cement (tack coat) surrounding the perimeter of the rectangle, a requirement for permanent restoration, nor was the excavation sealed at the edges, which is also a requirement for permanent restoration. The roadway asphalt that was supposed to surround the manhole casting (frame)

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was not in place and created a depression between three inches to four inches in depth as depicted in the photograph in Figure #1.

- II. The New York City Department of Transportation and Department of Environmental Protection Work Orders, Gang Sheets and complaints indicate the following:
  - a. On May 5, 2017, there was an excavation at said location;
  - b. On December 7, 2018, there was an improper attempt to patch the asphalt surrounding said manhole which caused an immediately dangerous four-inch depression; and
  - c. On February 5, 2019, Plaintiff fell and was injured because of the defect.
- III. Referring to Figure 2 above, the repaired water valve excavation performed on May 5, 2017 was not permanently restored and therefore the temporary restoration of the excavation allowed storm water to penetrate the asphalt and cause failure to the subgrade as well as to deteriorate the asphalt due to freeze/thaw cycles in the winter months.
- IV. The deteriorated asphalt developed into a pothole and on December 7, 2018, a Gang Crew was dispatched to address the defect. However, the temperatures were recorded below the temperature

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necessary to place temporary fill and the asphalt in the hot box

could not get above 125 degrees Fahrenheit.

Due to the frigid temperatures and malfunctioning

hotbox, the temporary asphalt could not adhere to the bottom and

sides of the deep depression and therefore was not secured within

the depression and immediately failed. Vehicles braking and

accelerating over the temporary patch contributed to the immediate

failure and caused the four-inch depression in the pedestrian

crosswalk around said manhole cover and casting.

VI. The chart in Figure #3 calculates the average rate of

depression in inches per day. From the time that the Gang Crew

placed temporary fill on December 7, 2018 to February 5, 2019 when

G. Webster sustained his fall, the depth of the depression grew to

approximately 4 inches, confirming that the Gang Crew caused the

immediately dangerous condition to pedestrians and vehicles.

VII. The chart in Figure #4 depicts the analysis performed by

the Writer to determine the depth of said depression using

photogrammetry from the photograph in Figure #1. Photogrammetry is

the calculation of dimensions in a photograph when other items in

the photographs in the same plane are known. In this case the

dimensions of the manhole casting and cover are known. The analysis

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shows that the maximum depth of the depression was approximately four inches at the time of Plaintiff's fall.

VIII. Section §2-11(e)(12)(x) of the New York City Highway Rules requires Permittees to permanently restore excavation or during the winter maintain the excavation until a permanent restoration is made. The City of New York did not follow its own regulations and allowed the temporary restoration to remain for a period 583 days as calculated in Figure #3 above. The City of New York violated its own requirements by failing to maintain the temporary pothole patch, and caused an immediately dangerous condition by filing the pothole with cold asphalt from a malfunctioning hotbox at frigid temperatures creating a four-inch depression.

IX. Good and accepted engineering, construction and maintenance practice was not performed by the City of New York or its agents because they allowed an excavation/hole/depression to be created on the roadway surface by not permanently restoring the asphalt wearing course after making the water valve repair on May 3, 2017. The fill placed in the pothole on December 7, 2018 constituted an affirmative act of negligence resulting in an immediately dangerous condition because the malfunctioning hotbox

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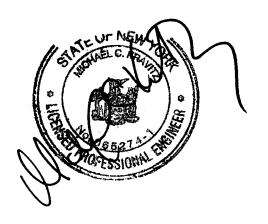
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and cold temperature of the asphalt caused the temporary fill to immediately fail and resulted in the four-inch depression that caused G. Webster to fall and sustain injuries on February 5, 2019.

Respectfully submitted,

Michael Kravitz, P.E.



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DRAWN BY: A. Occhino

BY: FN:#

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Using Photogrammet	ry Analyze t	he Depth o	f Depression	on of NYC D	EP Manhol	e	
Use Photograph No. 3	L of Location	n Photos tal	ken soon a	fter the inc	ident		
Location 7th Avenye	and W. 30th	Street - No	orth Crossv	valk Crossin	g 7th Aven	ue	
Use Campbel Foundr	y 17th Editio	on for meas	urements	of MH Cast	ing page 12	2.	
Use Light Manhole Fr	ames and C	overs, Strai	ght Type F	rame Type	A Based on	Location P	noto #1:
Design measurement	s in Inches						
Cover Seat height	X =	1	Inches				
Frame height	3	Inches					
Cover diameter	C =	24	Inches				
Photogrammetry mea	asurements	in Units of	40 Scale				
Cover Seat height	X =						
Frame height	E =	6	Units				
Cover diameter	C =	102	Units				
Maximum Depth =		8	Units				
Maximum Depth =		4	Inches Ca	Iculated usi	ng Photogr	rammetry	
Minimum Depth =		3	Inches Esi	tmated to	bottom of o	casting	

		Days	Average					
	Repair	Between	Settlement Rate -					
Description	Date	Repair	inch/day					
Repair of MH Valve	05/03/17							
Gang pothole closed	12/07/18	583	0.01	Inches/Day				
Gang pothole closed	01/31/19	55	0.07	Inches/Day				
Accident Date	2/5/2019	5	0.80	Inches/Day	12 13/16	12/16th to	13/16 Inc	hes per day
Maximum Settlement - Inches	4	Inches						





Manhattan, NY (weather/us/ny/manhattan/40.74,-73.99) Staten Island, NY (weather/us/ny/staten-island/40.63,-74.14) Queens, NY (weather/us/ny/queens/40.77,-73.86) Smithtown, NY (11787) (weather/us/ny/staten-island/40.63,-74.14)

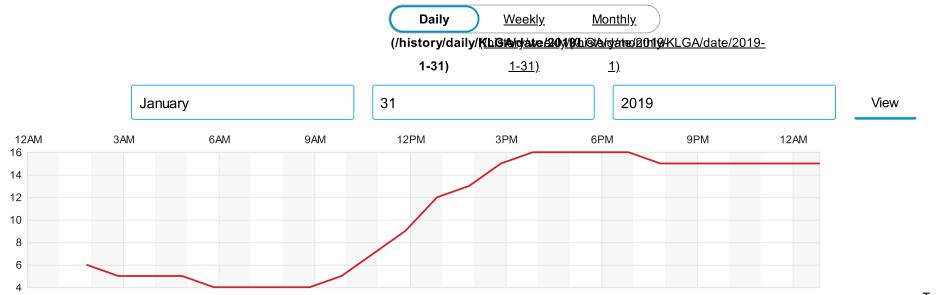
40.77 °N, 73.86 °W

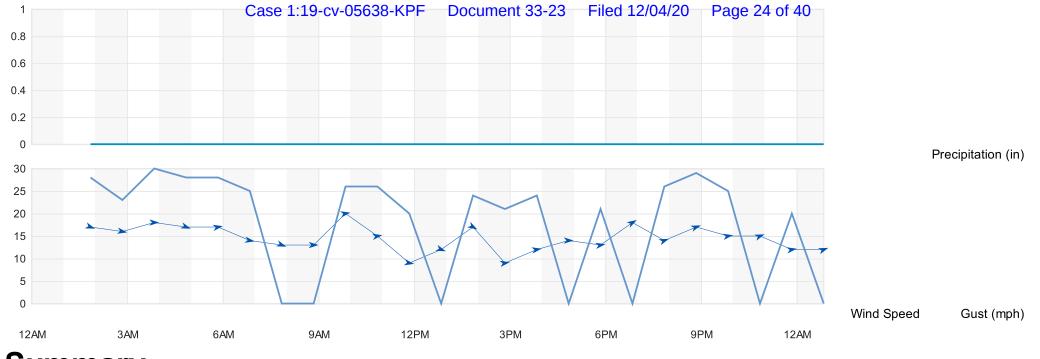
# New York City, NY Weather History ★ ♠



#### HISTORY (/HISTORY/DAILY/US/NY/NEW-YORK-CITY/KLGA)

- TODAY (/WEATHER/KLGA)
- HOURLY (/HOURLY/KLGA)
- 10-DAY (/FORECAST/KLGA)
- CALENDAR (/CALENDAR/US/NY/NEW-YORK-CITY/KLGA)
- HISTORY (/HISTORY/DAILY/US/NY/NEW-YORK-CITY/KLGA)
- WUNDERMAP (/WUNDERMAP?LAT=40.77&LON=-73.86)





# **Summary**

Temperature (° F)	Actual	Historic Avg.	Record	•
High Temp	16	40	61	
Low Temp	4	27	2	
Day Average Temp	10.5	33	-	
Precipitation (Inches)	Actual	Historic Avg.	Record	•
Precipitation (past 24 hours from 05:51:00)	0.00	0.10	-	
Dew Point (° F)	Actual	Historic Avg.	Record	•
Dew Point	-12.04	-	-	
High	-9	-	-	
Lov <mark>Q</mark> 2	-17	-	-	
Average	-12.04	-	-	

Temperature (° F)	Case 1:19-cv-05638-KPF	Document 33-23	Filed 12/04/20 Actual	Page 25 of 40 Historic Avg.	Record	•
Wind (MPH)			Actual	Historic Avg.	Record	•
Max Wind Speed			20	-	-	
Visibility			10	-	-	
Sea Level Pressure (Hg)			Actual	Historic Avg.	Record	•
Sea Level Pressure			30.41	-	-	
Astronomy			Day Length	Rise	Set	•
Actual Time			10h 4m	7:08 AM	5:12 PM	
Civil Twilight				6:39 AM	5:41 PM	
Nautical Twilight				6:06 AM	6:14 PM	
Astronomical Twilight				5:33 AM	6:46 PM	
Moon: waning crescent				4:55 AM	2:42 PM	

# **Daily Observations**

Time	Temperature	Dew Point	Humidity	Wind	Wind Speed	Wind Gust	Pressure	Precip.	Condition
1:51 AM	6 °F	-15 °F	38 %	WNW	17 mph	28 mph	30.24 in	0.0 in	Fair
2:51 AM	5 °F	-17 °F	36 %	W	16 mph	23 mph	30.25 in	0.0 in	Fair
3:51 AM	5 °F	-14 °F	41 %	W	18 mph	30 mph	30.27 in	0.0 in	Fair
4:51 AM	5 °F	-14 °F	41 %	WNW	17 mph	28 mph	30.29 in	0.0 in	Fair
5:51 AM	4 °F	-17 °F	38 %	W	17 mph	28 mph	30.32 in	0.0 in	Fair
6:51 AM	4 °F	-14 °F	43 %	W	14 mph	25 mph	30.33 in	0.0 in	Fair
7:51 <u>A</u> M	4 °F	-14 °F	43 %	WNW	13 mph	0 mph	30.36 in	0.0 in	Fair
7:51 AM N 8:51 <b>44</b> M	4 °F	-13 °F	46 %	W	13 mph	0 mph	30.39 in	0.0 in	Fair
'									

Time	Temperature	Case 1:19-0 Dew Point	CV-05638-KPF Humidity	Docume Wind	nt 33-23 Filed : Wind Speed	12/04/20 Pag Wind Gust	e 26 of 40 Pressure	Precip.	Condition
9:51 AM	5 °F	-14 °F	41 %	W	20 mph	26 mph	30.41 in	0.0 in	Fair
10:51 AM	7 °F	-12 °F	42 %	W	15 mph	26 mph	30.41 in	0.0 in	Fair
11:51 AM	9 °F	-11 °F	40 %	W	9 mph	20 mph	30.40 in	0.0 in	Fair
12:51 PM	12 °F	-10 °F	37 %	WNW	12 mph	0 mph	30.38 in	0.0 in	Fair
1:51 PM	13 °F	-11 °F	34 %	WNW	17 mph	24 mph	30.34 in	0.0 in	Fair
2:51 PM	15 °F	-12 °F	29 %	W	9 mph	21 mph	30.33 in	0.0 in	Fair
3:51 PM	16 °F	-11 °F	30 %	W	12 mph	24 mph	30.32 in	0.0 in	Fair
4:51 PM	16 °F	-11 °F	30 %	W	14 mph	0 mph	30.32 in	0.0 in	Fair
5:51 PM	16 °F	-10 °F	31 %	W	13 mph	21 mph	30.33 in	0.0 in	Fair
6:51 PM	16 °F	-11 °F	30 %	WSW	18 mph	0 mph	30.35 in	0.0 in	Fair
7:51 PM	15 °F	-9 °F	34 %	WSW	14 mph	26 mph	30.37 in	0.0 in	Fair
8:51 PM	15 °F	-10 °F	32 %	WSW	17 mph	29 mph	30.39 in	0.0 in	Fair
9:51 PM	15 °F	-10 °F	32 %	W	15 mph	25 mph	30.40 in	0.0 in	Fair
10:51 PM	15 °F	-10 °F	32 %	WSW	15 mph	0 mph	30.40 in	0.0 in	Fair
11:51 PM	15 °F	-9 °F	34 %	W	12 mph	20 mph	30.41 in	0.0 in	Fair
12:51 AM	15 °F	-10 °F	32 %	WSW	12 mph	0 mph	30.41 in	0.0 in	Fair

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026

Ad Partners (/company/ad-partners)

Analytics Partners (/company/analytics-partners)

(https://www.essentialaccessibility.com/the-weather-channel?

utm\_source=theweatherchannelhomepage&utm\_medium=iconlarge&utm\_term=eachannelpage&utm\_content=header&utm\_campaign=theweatherchannel)

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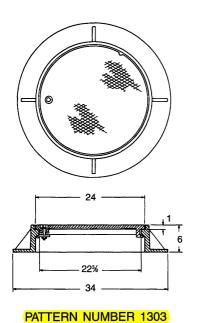
Powered by the IBM Cloud (https://www.ibm.com/cloud/)



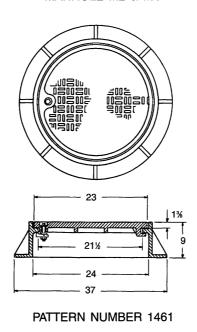
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# City of New York Department of Parks and Recreation

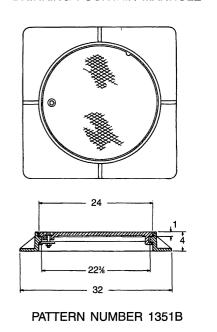
#### MANHOLE M1 & M3



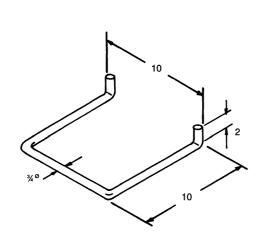
MANHOLE M2 & M4



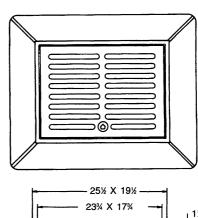
DRINKING FOUNTAIN MANHOLE

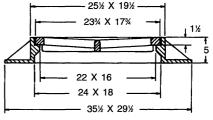


STANDARD RUNGS
MANHOLES AND CATCH BASINS



PATTERN NUMBER 2589 2274





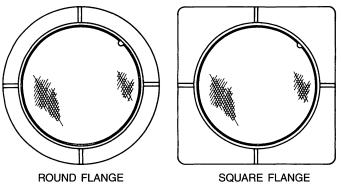
PATTERN NUMBER 4126 0030

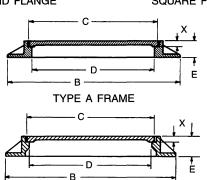
92

# **SLAB TYPE FRAME**

# **Light Duty** Manhole Frames and Covers

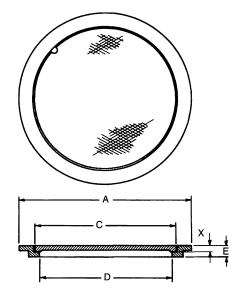
# STRAIGHT TYPE FRAME



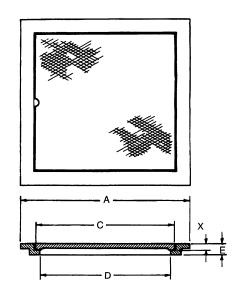


TYPE B FRAME

PATTERN	NUMBER	i de se	DIM	ENSION	SININ	ICHES	FRAME
ROUND FLANGE	SQUARE FLANGE	В	O	D	E	x	TYPE
1300A	1313 A	17	11 ¾	11	3	1	Α
1301A	1314 A	23 1/4	18	17 %	3	1	Α
1301B	1314 B	22 ½	18	17	4	1	В
1302A	1315 A	28	24	<b>22</b> ½	<u>3</u>	1 1	A
1302B	1315 B†	32	- 24	22 %	4	1	В
1303	1316 †	34	24	22 %	6	1	В
1304A	1317 A	36 ¾	30	28 ¾	3	1	Α
1304B	1317 B	38	30	28	6	1 1	В
1305A	1318 A	42 ¾	36	34 %	3	1 1/4	Α
1305B	1318 B	45	36	34 %	8	1 1/4	В
1306	1319	48 ½	42	40 ½	3	1 1/2	Α
1309	1322	34	26	24	6	1	В



PATTERN	DIMENSIONS IN INCHES								
NUMBER	A	С	D	E	Х				
1325	10	7	6	1%	3/4				
1326	16	13	12	1½	3/4				
1327	221/2	19	18	2	111				
1328	28	25	24	2	1 1 1/8				
1329	34 1/2	31	30	2	1				
1330	41	37 ½	36	2	401 a				
1335	231/2	19%	18	31/4	11/4				



PATTERN	DIMENSIONS IN INCHES									
NUMBER	Α	С	D	E,	Х					
1338	10	7	6	1½	3/4					
1339	16	13	12	11/2	3/4					
1340	24	191/4	18	1 3/4	1					
1341	30	25 1/4	24	1 3/4	1					
1342	36	31 %	30	2	1					

NYC0343 030

MANHATTAN STREET MAINTENANCE POTHOLE SHEET

PotHoLes

**DATE** 

VEHICLE CHECK

CAB / ODOMETER EXTERIOR/ VISUAL **TIRES STEERING BRAKE SYSTEM ELECT. SYSTEM FUEL / GALLONS** 

TIME

PRE CHECK | DEFECT

MEMBERS NAME	SIGNATURE	TITLE	START DATE	START TIME	END DATE	END TIME	LUNCH	TASK	O/T
BestaGNO	am Dulas	SHR	1-31	18:30	2-1	3:30	Y	sup	-05
TOTA	ann	HB	1-31	19:00	2-1	3:30	Y	DR	1
Torres	1amo	HB	1-31	19:00	a-/	3:30	Y	BKO	)
GBAY	army	FR	1-31	19:00	a-/	3:30	Y	SAV	_
	//								
WEBS									
BS									
EQUIPMENT USED	ID NUMBER	DOWN	TIME	1		<b>CREW MAT</b>	ERIAL		
D - TRUCK	8617				PLA	NT:	TO	ONNAGE	
HOTBOX	65 HT				HAMILTO	N PLANT			
COMPRESSOR					HARPER	ST. YARD			
COMPRESSOR BACK-UP TRUCK	None				TOTAL T	ONNAGE	3	2.00	

EQUIPMENT USED	ID NUMBER	DOWN TIME	CREW MATE	RIAL
D - TRUCK	8617		PLANT:	TONNAGE
нотвох	65 HT		HAMILTON PLANT	
COMPRESSOR			HARPER ST. YARD	
BACK-UP TRUCK	None		TOTAL TONNAGE	2:00
			COLD PAICH	2.00 Tons

_		
	PLANT:	TONNAGE
Ì	HAMILTON PLANT	
	HARPER ST. YARD	
	TOTAL TONNAGE	2:00
	COLD PAICH	2.00 Tows

A/C USED							
GALLONS							
0							
TOTAL A/C USED	0						

BEGINNING OF DAY	
YARD /	Pier 36
COFFEE LOCATION /	3 Ave & 455
ARRIVAL TIME /	20:15
LUNCH LOCATION /	VARICK & CAWALST
ARRIVAL TIME /	23:00

DEPARTURE TIME

19:27 MILEAGE 38336

**END OF DAY** YARD

ARRIVAL TIME

Pier36

DEPARTURE TIME DEPARTURE TIME

2025 MILEAGE 38343

2:03

orrect and that the work was performed exclusively for the City of New York SUPERVISOR SIGNATURE

**AREA LEVEL SIGNATURE** 

23:30 MILEAGE 38346

- 00101

SUPERVISOR NAME: Mike BestaGNO

#### MANHATTAN STREET MAINTENANCE

DATE: 1/3//19

NOTES	DEFECT NUMBERS	LOCATION	ARRIVAL	DEPARTURE	7.10 1.10 1.1		SQUARE			
NOTES	DEFECT NUMBERS	LOCATION	TYPE	TIME	TIME	ID	Α	В	С	YARDS
	DM2019031016	E. 345 B/+ Lexincton & PANK AVE	Pot	19:46	20:02	XCL		1		
	7M2019031024	45st B/T 3 Avet Lex	Pot	20:31	20:48	XCL			2	
	PM20(903/025	7 Ave \$305	Pot	21:12	21:30	XCL				
	1142019031026	7 Ave Bl+ 2454 2554	Pot	a1:37	21:55	XCL		3		
	DM2019031009	KINGS + VARICK ST	Pot	बर्द्ध ।	22:37	XCL				
	MY2019 031 027	VARICKS BL BEACH SOLL LAIGHTS	Pot	23:35	00:05	XCL		a	1	
	PM 2019031028	GRAND St E. BROADWAY	Pot	60:45	00:53	XCL				
DMS COMPLETED-	2	SIEBELS COMPLETED -	TOTAL HO	LES AND S	QUARE YAR	DS		8	6	
COMMENTS - BAL	hroom stops Alan	10 Pottole Boute								
	COLD Conditions		TOTAL NU	MBER OF H	OLES AND S	QUARE YA	RDS	14		
-		COLD Patch 2.00 Tons	ACTION I	/D - (TO	C) TOP OFF C	OMPLETED	(TON)	TOP OF	F NOT CC	MPLETED
			5							

(MST) MADE SAFE TEMPORARILY (RTB) REFERRED TO BRIDGES (NAC) NOT ACCESSIBLE (DNF) DEFECT NOT FOUND (DPL) DUPLICATE (EXC) EXCAVATION COMPLETE (BAR) BARRICADED (XCL) CLOSED DEFECT (BFC) BACKFILL COMPLETED (BFN) BACK FILL NOT COMPLETE (EXN) EXCAVATION NOT COMPLETE (FRE) FOUND RESTORED

				MANHATTA	N STREET M	AINTENANCE	POTHO	E SHE	:T			
CREW SUPERVISOR	M. Bell			CREW TYPE	Poth	08				DATE	47/12	
MEMBERS NAME	SIGNATURE	TITLE	START DATE	START TIME		END TIME	LUNCH	TASK	O/T	VEHICLE CHECK	PRE CHECK	DEFECT
M. Bill	MVEN	Sitre	12-7-18	19130	12-8-18	4:30	405	Sur	1/2	CAB / ODOMETER		
A. Haryston	HULL	Attyl		20100				DW	1	EXTERIOR/ VISUAL		
B. Vicens	1/2 -	Azpn						Shv		TIRES		
R Jeanty	133a4 9	AZITA				17 2		TKr	1	STEERING		
A. Somo	160	Azim	7	1/	1	V	A.	Bek	V	BRAKE SYSTEM		
M. Committee	200									ELECT. SYSTEM	/	
										FUEL / GALLONS	_/_/	
										TIME		
EQUIPMENT USED	ID NUMBER	DOWN	TIME			CREW MAT				A/C USI		
D - TRUCK	770				PLA			NNAGE		GALLOI	VS.	
НОТВОХ	364+				HAMILTO		3,0	Φ		A.		
COMPRESSOR					HARPER			-			Δ	
BACK-UP TRUCK					TOTAL T	ONNAGE		0		TOTAL A/C USED		
BEGINNING OF DAY YARD /	fter 3'		DEPAR	TURE TIME	20:25	MILEAGE	446	59		END OF DAY YARD	Pier 31	7
COFFEE LOCATION /	F-425+ MG	15 Ne		12				34.		:3		
ARRIVAL TIME /	21:10		DEPART	TURE TIME	22.30	MILEAGE				ARRIVAL TIME		
LUNCH LOCATION /	10 Ave	N235+			,						-	
ARRIVAL TIME /	O) 10		DEPART	TURE TIME	00:40	MILEAGE			/	Me SLUT	west.	
orrect and that the work	4 10	clusively fo	r the City of Ne		AREA LE	/EL SIGNATI	URE	a		- Lien - Mari	7 11	

NYC0340 032

PATE: 12-7-10

SUPERVISOR NAME:	M. Dell		DATE: 12-7-10							
NOTES	DEFECT NUMBERS	UMBERS. LOCATION		ARRIVAL	DEPARTURE TIME	ACTION	POTH		ES.	SQUARE
	DM2018341010	1 Am ES8 Esast	TYPE	21:50	22,03	XIL	3	<del>                                     </del>		1111111
	Din 2018341011	7 Are W30st	01/	22.50	23:00	XCL :	2	2		
	DM 20183-10008	10 Ave W28 W29 St	DH.	23:22	00:00	XLL	6	3		
	DM 201834 2010	426 Breens chst Laight atra		.00:55	1:00	DNF				
	DM2018341 006	25 W: 1 ett proone belancy	PH	1:20	1:25	DNF				
	4.3								72	
	The Control of the Co									-
				(4)						-
1	,							_		
	,									-
1					9					-
DMS COMPLETED-	SI	EBELS COMPLETED -	TOTAL HOL	ES AND SO	UARE YARD	;	17	5	-	
COMMENTS - Hothal 37 H		dropped to 125 degrees	TOTALTIO	,	torut mu					
& wanter not reach	Levip Loco he for	re dumped due to the	TOTAL NUI	MBER OF H	DLES AND SO	WARE YAR	NDS	16		T
	auttraffic on Ro		ACTION V		) TOP OFF CO			TOP OFF	NOT CO	MPLETED
		TO BRIDGES (NAC) NOT ACCESSIBLE	(DNF) DEF							
		ACKFILL COMPLETED (BFN) BACK FILL								

**MANHATTAN STREET MAINTENANCE** 

Case 1:19-cv-05638-KPF Document 33-23 Filed 12/04/20 Page 34 of 40

BOROUGH OF MANHATTAN

MOSAICS

03/27/2020

MOSM322B

DEFECT DETAILS FOR DEFECT NO.: DM2018341011

DEFECT TYPE : POT - POTHOLE

MAINT SECTOR: 8

DEFECT STATUS : CLS - CLOSED WORK ORDER

REPAIR STATUS: XCL

LOCATION : BOROUGH CODE : M

COMMUNITY DISTRICT: 5

HOUSE NUMBER :

ON: 7 AVENUE

FROM: WEST 30 STREET

TO :

DESCRIPTION OF CORNER

PRIORITY: DEFECT URL:

REPORTED DATE : 12/07/2018

REPORTED TIME : 18:49

CALLER: NAME: KIM SALVO

ADDRESS: STREET: 247 WEST 40 ST CITY: NEW YORK CITY

STATE: NY ZIP:

E-MAIL:

SOURCE : CTZ - CITIZEN

HANSEN TICKET NUM:

DEFECT COMPLAINT DETAILS :

LENGTH: WIDTH:

----CORNER---- LANE

F/T: L/R: STREET: CURB:

INT

ORIGINAL DEFECT NUM: Enter-PF1---PF3---PF3---PF5---PF6---PF7---PF8---PF9---PF10--PF11--PF12---

QUIT MAIN

HST PREV NEXT ESC

HISTORY OF DEFECT NO : DM2018341011 03/27/2020 MOSM75ML

DEFECT TYPE: POT

BOROUGH OF MANHATTAN

INIT DATE TIME GENERATED FROM ACTION-ID CAR.NO BY

12/07/2018 18:49 SYSTEM REFERRED TO MAINTENANCE

CREATED ONLINE FROM 311

12/07/2018 22:50 FITS CLOSE DEFECT

BELL/POT/12-07-2018/SHIFT:N/GRP:3

Enter-PF1---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10--PF11--PF12---QUIT MAIN PREV NEXT ESC

CSC

BOROUGH OF MANHATTAN MOSAICS 03/27/2020

MOSM322B DEFECT DETAILS FOR DEFECT NO.: DM2018341012

DEFECT TYPE : POT - POTHOLE MAINT SECTOR : 8

DEFECT STATUS : DUP - DUPLICATE WORK ORDER REPAIR STATUS: DPL

LOCATION: BOROUGH CODE: M COMMUNITY DISTRICT: 5

HOUSE NUMBER: ON: 7 AVENUE FROM: WEST 30 STREET TO:

PESCRIPTION OF CORNER MIRRIE TO:

DESCRIPTION OF CORNER MIDDLE OF 7TH AVE AND 30TH STREET

PRIORITY: DEFECT URL: \_

REPORTED DATE : 12/07/2018 REPORTED TIME : 19:27

CALLER: NAME:
ADDRESS: STREET:

CITY: STATE: ZIP:

E-MAIL:

SOURCE : CTZ - CITIZEN

HANSEN TICKET NUM: DEFECT COMPLAINT DETAILS:

LENGTH: WIDTH:

----CORNER---- LANE

F/T: L/R: STREET: CURB: INT

ORIGINAL DEFECT NUM: DM2018341011

Enter-PF1---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10--PF11--PF12---

QUIT MAIN HST PREV NEXT ESC

Case 1:19-cv-05638-KPF Document 33	3-23 Filed 12/04/20 Page 37 of 40
------------------------------------	-----------------------------------

MOSM75ML BOROUGH OF MANHAT		ECT NO : DM2018341012 ECT TYPE: POT	03/27/	2020
DATE TIME	GENERATED FROM	ACTION-ID	CAR.NO	INIT BY
12/07/2018 19:27	SYSTEM	DUPLICATE DEFECT CREATED ONLINE FROM 311		CSC

...END
Enter-PF1---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10--PF11--PF12--QUIT MAIN PREV NEXT ESC

2019043415-07

BOROUGH OF MANHATTAN MOSAICS 03/27/2020

MOSM322B DEFECT DETAILS FOR DEFECT NO.: DM2019031025

DEFECT TYPE : POT - POTHOLE MAINT SECTOR : 8

DEFECT STATUS : CLS - CLOSED WORK ORDER REPAIR STATUS: XCL

LOCATION: BOROUGH CODE: M COMMUNITY DISTRICT: 5

HOUSE NUMBER: ON: 7 AVENUE

FROM: WEST 30 STREET TO:

DESCRIPTION OF CORNER

PRIORITY: DEFECT URL: \_

REPORTED DATE : 01/29/2019 REPORTED TIME : 22:41

CALLER: NAME:

ADDRESS: STREET:

CITY: STATE: ZIP:

E-MAIL:

SOURCE : YRD - YARD

HANSEN TICKET NUM: DEFECT COMPLAINT DETAILS:

LENGTH: WIDTH:

----CORNER---- LANE

F/T: L/R: STREET: CURB:

ORIGINAL DEFECT NUM:

Enter-PF1---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10--PF11--PF12---

OUIT MAIN HST PREV NEXT ESC

HISTORY OF DEFECT NO : DM2019031025 03/27/2020 MOSM75ML

BOROUGH OF MANHATTAN DEFECT TYPE: POT

DATE TIME GENERATED FROM ACTION-ID

INIT

01/29/2019 10:00 SYSTEM REFERRED TO MAINTENANCE YRD

01/31/2019 21:12 FITS CLOSE DEFECT

RESTAGNO/POT/01-31-2019/SHIFT:N/GRP

...END Enter-PF1---PF3---PF3---PF5---PF6---PF7---PF9---PF10--PF11--PF12---QUIT MAIN PREV NEXT ESC

CAR.NO



WO# 843620315

**Completed Water Valve Work Order** 

Report Date:Tuesday, March 10, 2020 Page 1 of 2

Work Order# 843620315 Activity: WVON REPLACE VALVE OPERATING NUT

Address: W 30 ST Pct: 014 Zip: 10001

Cross Street: 7 AVE

Compass Direction: Borough: MANHATTAN

Building ID: 0 Block: Lot: CMBD: 105

Water Valve ID: V103330

Qualifier: Map# H27

Area: 1 Sub-Area: 105 MANHATTAN COMMUNITY BOARD 5

Location: District: 843620315

Initiated By: 2333 DELLECAVE, ERIC Initiated: 05-03-2017 07:36 AM **Scheduled: N/A** 

Assigned To: Service# N/A Due: N/A

Authorization:

Crew: W3 WATER - 3 LABORERS

Maint Type:

Priority:

Problem: Permit#

Project: Completed: 05-03-2017 10:00 PM

Source: Out of Service: N

Result: Potential Service Request: N

WO Responsibility: WRM MANHATTAN REPAIRS

WO Comments: NORTH OF NORTH CURB LNE ON W 30 ST E/O/W CURB LNE OF 7TH AVE12" M/L/G OP NUT NEEDS TO BE CHANGED. M/L/G IS

DEEP AND WATER MAINTENANCE UNABLE TO CHANGE. OPERATING NUT CURRENTLY IN DOWN POSITION

Work Order Log History						
Log Type	Log Started	Log Ended	Log By	Comments		
INITIAL	05-03-2017	05-03-2017	12074- POPOVIC, ADMIR	SWUPERVISOR, POPVIC, CREW, MERCADO, BERILLIO, AND AGIULAR, SET UP SAFETY ZONE, EXCAVATED ARUND M/L/G, REMOVED O-NUT, PUT NEW 0-NUT ON VALVE, OPENED 12" GATE, ALSO PACKED 12" GATE DUE TO PACKING LEAK, RESET M/L/G TO GRADE, B/F, B/T TAMPERED TO GRADE Input By: CATHERINE N BROWN on 5/8/2017 1:02:42 PM		

There are no user logs for this work order

Activity Safety Messages: There are no Safety Messages for this asset's Activity Code

Asset Safety Messages: There are no Safety Messages for this asset NYC0330 040